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REMARKS/ARGUMENTS

I. STATUS OF THE PENDING CLAIMS

Claims 13-32 are pending in the application, all rejected.

II. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 13-14, 17-24, 26-29, and 31-32 stand rejected under 35 U.S.C. Sec. 102(e) as anticipated by U.S. Patent No. 5,805,442 to Crater et al. ("Crater").

A rejection of a patent claim under 35 U.S.C. § 102(b) as anticipated places on the Examiner the burden of proving that each element of the invention as claimed is identically disclosed by the applied reference. Because application of the Crater reference against the pending claims fails to carry this burden, Applicant traverses this rejection.

Claim 13

Claim 13 recites in pertinent part:

a memory arranged in the automation device and storing communications data, the communications data comprising
operating dialogs for the operation of the automation device and for communication with the browser in the data processing apparatus, and
device information for service and support of the automation device over the data network ;
whereby the stored communications data and device information are transmitted from the automation device to the data processing apparatus over the data network by way of a standard protocol.

In rejecting claim 13, the Examiner has cited text from the Crater patent that relates to a controller containing computer storage means "for storing the relevant data and instructions associated with the data for causing a remote computer to *present the data...*in a predetermined format..." Crater at col. 3, lines 5-14 (emphasis added).

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In addition, the Examiner has relied on text from the Crater patent that generally describes that a client machine may run a web browser. Crater at col. 4, lines 58-60.

Finally, the Examiner points to text that generally describes the operation of a client-server model of information exchange. Crater at col. 4, lines 5-29.

None of these passages from Crater, whether taken individually or in combination, disclose all elements of the invention as claimed. The Crater reference does not disclose that the automation device memory contains communications data comprising (1) "operating dialogs *for the operation of the automation device* and for communication with the browser in the data processing apparatus" or (2) "device information *for service and support of the automation device* over the data network," as recited. Crater also, therefore, does not disclose that such "stored communications data and device information are transmitted from the automation device to the data processing apparatus over the data network."

Because the foregoing limitations are simply not disclosed by Crater, claim 13, and claims 14-22 which depend from it, are respectfully submitted to be patentable over the art of record.

Claim 19

Claim 19 depends from claim 13 and further recites that the communications data stored in the memory (which include "device information for service and support of the automation device") are transferred from the automation device to the data processing apparatus *for operating the automation device*. This limitation is said to be disclosed by the passage in Crater at the bottom of column 4, bridging to column 5, line 12. This passage states that "clients at various locations can view web pages by downloading replicas of the web pages, via browsers, from the servers on which these web pages are stored." This, however, is not what is recited by the claim. There is no disclosure that

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device information for service and support of the operation of the device are transferred to the data processing apparatus for operating the automation device.

For this separate reason, claim 19 is submitted to be patentable over the art of record.

Claim 23

Claim 23 has been rejected on grounds similar to those raised in rejecting claim 13. This rejection is accordingly traversed on the same basis as was claim 13 and is respectfully submitted, along with claims 24-27 which depend from it, to recite allowable subject matter.

Claim 28

Claim 28 has been rejected on grounds similar to those raised in rejecting claim 13. This rejection is accordingly traversed on the same basis as was claim 13 and is respectfully submitted, along with claims 29-32 which depend from it, to recite allowable subject matter.

III. REJECTIONS UNDER 35 USC § 103(a)

Claims 15, 16, 25 and 30 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Crater et al., further in view of U.S. Patent No. 6,658,167 to Lee ("Lee").

Claims 15, 16, 25 and 30

In addition to being patentable due to its dependence from allowable claim 13, claim 15 also patentably distinguishes over the combination of Crater and Lee.

The rejection of claim 15 acknowledges that Crater does not disclose "the communication of data in compressed form for the purpose of saving storage cost as well

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as transmission time and costs. This is said to be shown by Lee. Lee, however, is not analogous art to Crater or the subject application. The subject claims, including all of their features, relate to the field of industrial automation, while Lee is directed to the separate and distinct field of client/server network technology. The combination is therefore improper. But even assuming, without conceding, its propriety, the combination would not yield the claimed invention. Crater and Lee, even if taken together, would not teach or suggest compression of "communications data comprising operating dialogs for the operation of the automation device and for communication with the browser in the data processing apparatus, and device information for service and support of the automation device over the data network."

Therefore, claim 15, as well as claims 16, 25 and 30 rejected on the same grounds, are submitted to be patentable over the art applied in rejecting them.

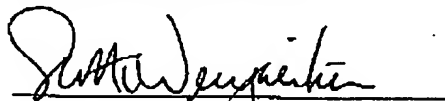
IV. CONCLUSION

Claims 13-32 are pending in the application. Applicant submits that all of these pending claims, for the reasons set forth above, recite patentable subject matter and are in condition for allowance. Reconsideration and allowance are therefore respectfully requested.

No fee is believed to be due in connection with this communication. However, if such additional fee is required, the Commissioner is authorized to charge the fee to Deposit Account No. 23-1703.

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Respectfully submitted,



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